

1 BARRY J. PORTMAN
Federal Public Defender
2 REBECCA SULLIVAN SILBERT
Assistant Federal Public Defender
3 555 - 12th Street
Suite 650
4 Oakland, CA 94607-3627
Telephone: (510) 637-3500
5
Counsel for Defendant DORAISWAMY
6
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-07-00444 DLJ
)	
12 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING STATUS
13 vs.)	APPEARANCE
)	
14 SHRI DORAISWAMY,)	Current Date: February 29, 2008
)	Requested Date: March 14, 2008
15 Defendant.)	
)	

16
17 Mr. Doraiswamy is charged with multiple counts of wire and mail fraud involving
18 financial transactions from 2001 through 2005. The government had provided discovery to the
19 defense. The discovery includes bank records from Bank of America, Union Bank of California,
20 Morgan Stanley Dean Whitter, Edward Jones, Charles Schwab, and Home Savings of America
21 (Washington Mutual). The defense has organized and catalogued the financial records, and
22 believes that certain records are missing. The defense is preparing subpoenas for the financial
23 institutions; those subpoenas should be on file with the Court by Friday, February 29. In the
24 meantime, the parties are continuing to discuss resolution of this case.

25 Because the defense would like to receive and review the financial documents, and
26 because plea discussions are continuing, the parties stipulate and request that this matter be

1 continued to March 14, 2008 at 9:00 a.m. for status.

2 In addition, the parties stipulate and request that time be excluded between February 29,
 3 2008 and March 14, 2008 for effective preparation of counsel, so that the defense can further
 4 investigate the status of the missing financial documents, and so that discussions can continue.
 5 The parties agree that the ends of justice served by the continuance requested herein outweigh the
 6 best interest of the public and the defendant in a speedy trial, because the failure to grant the
 7 continuance would deny counsel for the defendant the reasonable time necessary for effective
 8 preparation, taking into account the exercise of due diligence. Time should therefore be
 9 excluded pursuant to 18 U.S.C. §§ 3161(h)(1)(F), and § 3161(h)(8)(A) and (B)(iv).

10
 11 2/28/08

/S/

12 _____
 13 Date

 Rebecca Sullivan Silbert
 Counsel for defendant Shri Doraiswamy

14
 15 2/28/08 _____/S/

16 _____
 17 Date

 Steve Corrigan
 Assistant United States Attorney

18 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
 19 “conformed” signature (/S/) within this e-filed document.

20 **ORDER**

21
 22 Based on the reasons provided in the stipulation of the parties above, the Court continues
 23 this matter to March 14, 2008 at 9:00 a.m. The Court further finds that the ends of justice served
 24 by the continuance requested herein outweigh the best interest of the public and the defendant in
 25 a speedy trial because the failure to grant the continuance would deny the counsel for the
 26 defendant the reasonable time necessary for effective preparation, taking into account the

1 exercise of due diligence. The Court makes this finding because of the missing financial records,
2 and because of the ongoing discussions between the parties.

3 Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter
4 is continued to March 14, 2008 at 9:00 a.m., and that time is excluded from February 29, 2008 to
5 March 14, 2008 pursuant to 18 U.S.C. §§3161(h)(1)(F) and (h)(8)(A) and (B)(iv).

6
7 IT IS SO ORDERED.

8
9 _____
10 Date

Honorable D. Lowell Jensen
Judge, United States District Court
Northern District of California